

MINUTES OF THE
ARIZONA BOARD OF TECHNICAL REGISTRATION

July 27, 2010

9:30 AM

OPEN SESSION

1. **CALL TO ORDER** -- The meeting of the Board of Technical Registration was called to order at 9:30 AM by Chair Karen Cesare.
2. **ROLL CALL** - Board Members in Attendance: Karen Cesare, Harold "Hal" Epperson, Susan Schaefer Kliman, Claudia Perchinelli, Howell "Chip" Shay, John Willett and Laurie Woodall. Absent: David Komm and Erick Weiland. Board Staff: Ronald Dalrymple, Melissa Cornelius, LaVern Douglas, Kathryn Fuller, Lisa Vardian, Manuel Maltos, and Cassie Goodwin. Assistant Attorney General: Mona Baskin.
3. **CALL TO THE PUBLIC** -- No members of the public addressed the Board.
4. **MINUTES**
 - A. Adopt the June 22, 2010 Minutes -- Mr. Shay moved to adopt the June 22, 2010 minutes with one correction. Dr. Schaefer Kliman seconded. Motion Carried.
5. **ENFORCEMENT MATTERS**

Review, Consideration and Possible Vote on the following:

 - A. Proposed Consent Agreements
 1. M08-088, Andrew M. Lasich, P.E. (Structural) #46646 -- Dr. Schaefer Kliman recused herself, citing a conflict of interest. Mr. Shay moved to accept Respondent's signed Consent Agreement encompassing the following Order: Administrative Penalty: Respondent shall pay an administrative penalty in the amount of \$500.00; Professional Education: Respondent shall take and successfully complete a professional course in the area of wood frame elements/connections and lateral analyses which shall be pre-approved by the Board; and Cost of Investigation: Respondent shall pay the cost of investigation in the amount of \$345.00. Ms. Perchinelli seconded. After discussion, Motion Carried.

2. M08-105, John M. Ware, Land Surveyor #37937 – Mr. Epperson moved to accept Respondent's signed Consent Agreement encompassing the following Order: Letter of Reprimand; Amend Survey: Respondent shall amend the survey at 302 E. Elwood, Phoenix, Arizona and submit it to the Board for approval before recording the survey with the Maricopa County Recorder's office; and Cost of Investigation: Respondent shall pay the cost of investigation in the amount of \$490.00. Mr. Willett seconded. After discussion, Motion Carried.

3. M09-035, Jefferson M. Anderson, Land Surveyor #21751 – Mr. Epperson recused himself, citing a conflict of interest. Mr. Willett moved to accept Respondent's signed Consent Agreement encompassing the following Order: Amend Survey Map: Respondent shall amend the survey and submit it to the Board for approval prior to recording with the Pima County Recorder's office; and Cost of Investigation: Respondent shall pay the cost of investigation in the amount of \$255.00. Mr. Shay seconded. After discussion, Motion Carried.

4. M10-019, Albert B. Hammon, Land Surveyor #41142 – Mr. Epperson moved to accept Respondent's signed Consent Agreement encompassing the following Order: Voluntary Surrender of Respondent's Land Surveyor Registration No. 41142. Mr. Shay seconded. After discussion, Motion Carried.

B. Review, Discussion, and Consideration

1. M09-009, Will Architects, Jeffrey S. Will, Architect #11038 – Jeffrey Will addressed the Board. After discussion, Dr. Schaefer Kliman moved to issue Respondent a Letter of Concern that timely payments have not been made to LAM Structural Engineering ("LAM") for its engineering services and advises that Respondent does need to make payments to LAM for the engineering services provided. Mr. Epperson seconded. Motion Carried. Votes: Aye: Kliman, Epperson, Cesare, and Shay; Nay: Perchinelli, Willett, and Woodall.

6. HOME INSPECTOR ENFORCEMENT MATTERS

Review, Consideration, and Possible Vote on the following:

There were no Home Inspector Matters before the Board.

7. DRUG LABORATORY ENFORCEMENT MATTERS

Review, Consideration, and Possible Vote on the following:

There were no Drug Laboratory Enforcement Matters before the Board.

8. LICENSING MATTERS

Review, Consideration, and Possible Vote on the following:

1. Begay, Otis, Civil Engineering Application #100016 – Mr. Begay appeared telephonically and addressed the Board. Mr. Willett moved to accept Mr. Begay's application and grant him registration. Ms. Woodall seconded. After discussion, Motion Carried.

2. Blake, Jeffrey, Electrical Engineering Application #100436 – Mr. Shay moved to accept Mr. Blake's application and grant him registration. Mr. Willett seconded. After discussion, Motion Carried.

3. Daneshvari, Massoud, Civil Engineering Application #100112 – Mr. Daneshvari appeared telephonically and addressed the Board. Mr. Willett moved to accept Mr. Daneshvari's application and authorize him to take the exam and, upon successfully passing, grant him registration. Ms. Woodall seconded. After discussion, Motion Carried. Vote: Aye: Perchinelli, Epperson, Kliman, Woodall and Willett; Nay: Cesare and Shay.

4. Kelley, James, Fire Protection Engineering Application #100116 – Mr. Shay moved to accept Mr. Kelley's application and grant him registration. Ms. Woodall seconded. After discussion, Motion Carried.

5. Laute, Christopher, Civil Engineering Application #100323 – Mr. Willett moved to accept Mr. Laute's application and grant him registration. Dr. Schaefer Kliman seconded. After discussion, Motion Carried.

6. Milner, Christopher, Civil Engineering Application #100511 – Mr. Willett moved to accept Mr. Milner's application and grant him registration. Ms. Woodall seconded. After discussion, Motion Carried.

7. Monin, Edwin, Civil Engineering Application #100545 – Mr. Willett moved to accept Mr. Monin's application and grant him registration. Mr. Epperson seconded. After discussion, Motion Carried.

9. LICENSING CONSENT AGENDA

A. Review, Consideration, and Action on the Evaluation Committee and Staff Recommendations for the following (Lists of names available at the Board's office for public review):

1. Granting professional registrations, certifications or in-training designations pursuant to A.R.S. §§ 32-122.01, 32-123;
2. Granting approval to applicants to sit for the professional or in-training examinations pursuant to A.R.S. § 32-122;
3. Granting professional registrations to those applicants possessing NCARB Blue Cover or NCEES Model Law Engineer certifications, pursuant to A.R.S. § 32-122.01, and § 32-123;
4. Administratively closing professional or in-training applications pursuant to A.R.S. §§ 32-122, 32-122.01(A); A.A.C. R4-30-204(E).

Mr. Epperson moved that the applicants listed in 9(A)(1) be granted professional registration, certification, or in-training designation; that the applicants listed in 9(A)(2) be approved to sit for the professional or in-training examinations, and be granted registration in the appropriate category upon successful completion of the exams and a staff determination of continued eligibility; that the applicants listed in 9(A)(3) be granted professional registration; and that the application files listed in 9(A)(4) be administratively closed based upon the applicants' failure to meet the Board's licensing requirements. Dr. Schaefer Kliman seconded. Motion Carried.

10. POLICY MATTERS

Review, Consideration, and Possible Vote on the following:

There were no Policy Matters before the Board.

11. Review, Consideration, and Possible Vote on the following:

A. Registrations that have been expired for 3 years and recommended to be lapsed:
(List of names available at the Board's office for public review.)

Mr. Epperson moved to lapse the registrations listed in 11.A. Mr. Shay seconded. Motion Carried.

B. Certifications that have been expired for 1 year and recommended to be lapsed:
(List of names available at the Board's office for public review.)

Mr. Epperson moved to lapse the certificates listed in 11.B. Dr. Schaefer Kliman seconded. Motion Carried.

12. DIRECTOR'S REPORT – Mr. Dalrymple advised:

Finances:

As of June 30, 2010, the Board's revenue for Fiscal Year 2010 totaled \$1,794,354 and the expenditures total \$1,511,002. The Board's revenue for FY10 exceeded expenditures by approximately \$283,000.

Computer System:

The Board continues to meet with representatives from the Government Information Technology Agency ("GITA"), NIC and CAVU in an attempt to replace the AS/400 system with a modern licensing system. We presented a project justification document to the Governor's office in an attempt to convince the Office of Strategic Planning and Budgeting to allow us to encumber excess funds before the end of the fiscal year for the project from the FY10's revenues. The request was denied on the grounds that the service would not be rendered by the end of June. We have subsequently applied for a supplement to the 2011 budget to allow us to use the leftover funds from FY10 to offset some of the funds needed for the replacement system. According to GITA's estimate, the cost of the system for development and operation thru FY12 will be approximately \$446,000.

As of March 2010, the Arizona Department of Administration billed the Board for all expenses associated with the AS/400 since the Board is the only agency on the system. The normal billing will be approximately \$72,000 annually, however, the Board will also be held responsible for any additional programming and repair costs associated with the system.

13. BOARD CHAIR'S REPORT – Ms. Cesare advised there was nothing new to report.

14. STANDING COMMITTEE REPORT

A. Legislation and Rules Committee (“L&R”) – Dr. Schaefer Kliman advised the next meeting is scheduled after the August 24, 2010 Board meeting.

B. Budget Committee – Nothing new to report.

C. Home Inspector Rules and Standards Committee (“HIRS”) – Mr. Shay advised the next meeting is scheduled for August 4, 2010.

D. Environmental Remediation Rules and Standards Committee (“ERRS”) – Ms. Vardian advised the ERRS Committee was scheduled to meet today at 1: 00 PM.

15. BOARD MEMBER REPORTS ON OUTSIDE ACTIVITIES

A. National Council of Examiners for Engineering and Surveying (“NCEES”) – Mr. Dalrymple advised Ms. Perchinelli and Mr. Willett will be attending the upcoming meeting in Denver, Colorado scheduled for August 18 – 21, 2010.

B. National Council of Architectural Registration Boards (“NCARB”) – Dr. Schaefer Kliman advised she and Misters Shay and Dalrymple attended the annual meeting in San Francisco, California June 23 – 25, 2010. The Resolutions were primarily housekeeping in nature and changes to some By-Laws in keeping with the re-organization and long range planning. All of the resolutions passed with unanimous votes. Two had to do with changes in making it easier to do updates to the Intern Development Program (“IDP”) and dealing with simple bulk credentialing of the broadly experienced foreign architect eligibility. There was a lot of time spent on long-range planning and looking to the future, regarding what NCARB will look like down the road and in the transition as the new CEO is brought in during the upcoming year.

Dr. Schaefer Kliman gave a couple of the workshops based on her experience from sitting on the IDP Committee.

Dr. Schaefer Kliman became the first representative from Arizona to be elected to the Western Conference of NCARB Board. She will be sitting on the Executive Committee of WCARB next year.

- C. Council of Landscape Architectural Registration Boards ("CLARB") – Ms. Cesare advised she just returned yesterday from Raleigh, North Carolina where she was working on the Cut-Score Committee, working on two new vignette sections of grading and drainage and site planning issues for the examination.

She also attended a meeting in Minneapolis, Minnesota on behalf of the Communication Committee. One of the things CLARB is trying to develop and put forth materials for employers/supervisors/mentors to assist the candidates in their first few years of practice, for that portion of time between when that candidate has completed their graduation and taking their test, in getting them ready to take and pass the licensing examination.

She is planning to attend the next meeting in Baltimore, Maryland, scheduled for August 26 -28, 2010 and she will provide more information next month.

- D. National Association of State Boards of Geology ("ASBOG") –Nothing new to report.
- E. Public Member News/Information – Ms. Woodall advised while attending the State Bar Convention in June she went to an 8-hour Construction Law seminar. The presenter was a nationally recognized speaker. Ms. Woodall learned a great deal about potential exposure and certified buildings. She contacted the speaker and obtained additional materials which she has submitted to the Board via Melissa Cornelius for dissemination to other Board members. She found the seminar to be extremely worthwhile.

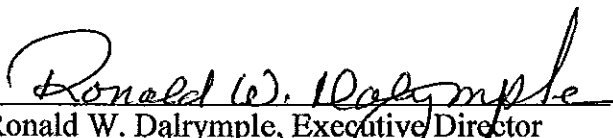
16. FUTURE BOARD MEETINGS – Tuesday, August 24, 2010 at 9:30 AM.

17. FUTURE AGENDA ITEMS – Nothing new at this time.

18. ADJOURNMENT – Meeting adjourned at 11:05 AM.

ARIZONA STATE BOARD OF TECHNICAL REGISTRATION


Karen M. Cesare, Chair


Ronald W. Dalrymple, Executive Director